

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Stanley D. Henry**  
Debtor(s)

Bankruptcy Case No.: 18-21613-CMB  
Issued per 8/29/2019 Proceeding  
Chapter: 13  
Docket No.: 82 - 67  
Concil. Conf.: August 29, 2019 at 10:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated June 3, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Aug. 29, 2019 at 10:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☒ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 4 of WhiteHall Boro .
- ☐ H. Additional Terms:

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.


**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: August 30, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Stanley D. Henry  
 Debtor

Case No. 18-21613-CMB  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: dbas  
 Form ID: 149

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 Total Noticed: 27

Date Rcvd: Aug 30, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 01, 2019.

db +Stanley D. Henry, 649 Greenlee Road, Pittsburgh, PA 15227-1021  
 cr +Borough of Whitehall, Goehring, Rutter, and Boehm, 437 Grant Street, 14th Floor,  
 Frick Building, Pittsburgh, PA 15219, UNITED STATES 15219-6101  
 cr +Department Store National Bank, PO Box 657, Kirkland, WA 98083-0657  
 14850906 +Borough of Whitehall, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,  
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101  
 14819473 +Cenlar, 425 Phillips Blvd., Trenton, NJ 08618-1430  
 14850223 +Department Stores National Bank, Citibank, N.A., 701 East 60th Street North,  
 Sioux Falls, SD 57104-0493  
 14983475 Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657,  
 Kirkland, WA 98083-0657  
 14993082 +Flagstar Bank, FSB as servicer for Pingora Loan Se, C/O McCabe, Weisberg & Conway, LLC,  
 Suite 1400, 123 South Broad Street, Philadelphia, PA 19109-1060  
 14819474 Francis S. Hallinan, Esquire, 1617 JFK Boulevard, Suite 1400, One Penn Center Plaza,  
 Philadelphia, PA 19103  
 14819475 +I.C. Systems, PO Box 64437, Saint Paul, MN 55164-0437  
 14819477 +Macys/DSNB, PO Box 8218, Mason, OH 45040-8218  
 14871111 +PINGORA LOAN SERVICING, LLC, CENLAR FSB, Attn: BK Department, 425 PHILLIPS BLVD.,  
 EWING NJ 08618-1430  
 14819480 +PNC Bank, PO Box 3180, Pittsburgh, PA 15230-3180  
 14875718 +PNC Bank, N.A., PO Box 94982, Cleveland, OH 44101-4982  
 14819479 +Pingora Loan Servicing, 425 Phillips Blvd., Trenton, NJ 08618-1430  
 14866342 UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14820399 E-mail/Text: ally@ebn.phinsolutions.com Aug 31 2019 02:59:11 Ally Financial,  
 PO Box 130424, Roseville MN 55113-0004  
 14819471 +E-mail/Text: ally@ebn.phinsolutions.com Aug 31 2019 02:59:11 Ally Financial,  
 PO Box 380901, Minneapolis, MN 55438-0901  
 14819472 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 31 2019 03:01:10 Capital One,  
 PO Box 30285, Salt Lake City, UT 84130-0285  
 14857599 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 31 2019 03:00:46  
 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083  
 14873598 +E-mail/Text: kburkley@bernsteinlaw.com Aug 31 2019 03:00:01 Duquesne Light Company,  
 c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,  
 Pittsburgh, PA 15219-1945  
 14871973 E-mail/PDF: resurgentbknofications@resurgent.com Aug 31 2019 03:00:50  
 LVNV Funding, LLC its successors and assigns as, assignee of CVF Consumer Acquisition,  
 Company, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
 14991376 E-mail/Text: cashiering-administrationservices@flagstar.com Aug 31 2019 02:59:54  
 Pingora Loan Servicing, LLC, c/o Flagstar Bank, FSB, 5151 Corporate Drive,  
 Troy, Michigan 48098-2639  
 14819481 +E-mail/Text: home.sfbank-bankruptcynotice.083i01@statefarm.com Aug 31 2019 02:59:18  
 State Farm Bank, PO Box 2316, Bloomington, IL 61702-2316  
 14860965 E-mail/Text: home.sfbank-bankruptcynotice.083i01@statefarm.com Aug 31 2019 02:59:18  
 State Farm Bank, FSB, Attn: Bankruptcy Dept., PO Box 2328, Bloomington, IL 61702-2328  
 14819482 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Aug 31 2019 02:59:08  
 Verizon, 500 Technology Dr., Ste. 300, 412372157, MO 63304-2225  
 14869194 E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Aug 31 2019 03:01:16 Verizon,  
 by American InfoSource LP as agent, PO Box 248838, Oklahoma City, OK 73124-8838  
 TOTAL: 11

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Cenlar FSB as servicer for Pingora Loan Servicing,  
 cr Flagstar Bank, FSB as servicer for Pingora Loan Se  
 cr PINGORA LOAN SERVICINGS, LLC.  
 cr Pingora Loan Servicing, LLC  
 cr Pingora Loan Servicing, LLC c/o Flagstar Bank, FSB  
 14819476 Jordan Tax Service  
 cr\* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,  
 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945  
 14819478 ##+Melissa Wood, 5621 Curry Road, Pittsburgh, PA 15236-3517

TOTALS: 6, \* 1, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

District/off: 0315-2

User: dbas  
Form ID: 149

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Total Noticed: 27

Date Rcvd: Aug 30, 2019

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 01, 2019

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 30, 2019 at the address(es) listed below:

Alexandra Teresa Garcia on behalf of Creditor Pingora Loan Servicing, LLC ecfmail@mwc-law.com,  
ecfmail@ecf.courtdrive.com  
Alexandra Teresa Garcia on behalf of Creditor Pingora Loan Servicing, LLC c/o Flagstar Bank,  
FSB ecfmail@mwc-law.com, ecfmail@ecf.courtdrive.com  
Alexandra Teresa Garcia on behalf of Creditor PINGORA LOAN SERVICINGS, LLC.  
ecfmail@mwc-law.com, ecfmail@ecf.courtdrive.com  
Amy L. Zema on behalf of Debtor Stanley D. Henry amy@zemalawoffice.com  
Amy L. Zema on behalf of Plaintiff Stanley D. Henry amy@zemalawoffice.com  
Francis Thomas Tarlecki on behalf of Creditor Flagstar Bank, FSB as servicer for Pingora Loan  
Servicing, LLC ecfmail@ecf.courtdrive.com, ecfmail@mwc-law.com  
James Warmbrodt on behalf of Creditor Pingora Loan Servicing, LLC bkggroup@kmlawgroup.com  
James Warmbrodt on behalf of Creditor Cenlar FSB as servicer for Pingora Loan Servicing, LLC  
bkggroup@kmlawgroup.com  
Jeffrey R. Hunt on behalf of Creditor Borough of Whitehall jhunt@grblaw.com,  
cnoroski@grblaw.com  
Jerome B. Blank on behalf of Creditor PINGORA LOAN SERVICINGS, LLC. pawb@fedphe.com  
Jerome B. Blank on behalf of Creditor Pingora Loan Servicing, LLC pawb@fedphe.com  
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,  
jbluemle@bernsteinlaw.com  
Maria T. Capiral on behalf of Creditor Department Store National Bank  
bk.mail@quantum3group.com  
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
Thomas Song on behalf of Creditor Pingora Loan Servicing, LLC pawb@fedphe.com

TOTAL: 16